

LAW OFFICES  
**LEYDIG, VOIT & MAYER, LTD.**  
TWO PRUDENTIAL PLAZA, SUITE 4900  
CHICAGO, ILLINOIS 60601-6731

**RECEIVED**  
**CENTRAL FAX CENTER**  
**DEC 05 2006**

TELEPHONE: (312) 616-5600

FAX: (312) 616-5700 (G3)  
(312) 849-0495 (G4)

**FAX TRANSMITTAL SHEET**

DATE: DECEMBER 5, 2006

NUMBER OF PAGES (INCLUDING  
THIS FAX TRANSMITTAL SHEET): 7

LVM REFERENCE: 224387

FROM: JENNIFER M. DUK

DIRECT LINE: (312) 616-5600

REGISTRATION NO. 52,838

TO: MAIL STOP AF  
UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

FAX NUMBER: (571)273-8300

IN RE APPLN. OF: HOMERO RAMIREZ TOBIAS ET AL.  
APPLICATION NO. 10/728,209  
FILED: DECEMBER 4, 2003  
FOR: CONCRETE-BASED FLOORS AND WALL COVERINGS WITH AN  
ANTIMICROBIAL EFFECT  
EXAMINER: ANTHONY J. GREEN

ATTORNEY DOCKET: 224387

**ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:**

1. FORM PTO-1083 (1 PG., IN DUPLICATE)
2. AMENDMENT AND RESPONSE TO OFFICE ACTION (4 PGS.)

A confirmation copy of the transmitted document will:

☒ Not be sent. This will be the only form of delivery of the transmitted document.

The information contained in this fax transmission is intended only for the use of the individual or entity named above and those properly entitled to access to the information and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If the reader of this transmission is not the intended or an authorized recipient, you are hereby notified that any unauthorized distribution, dissemination, or duplication of this transmission is prohibited. If you have received this transmission in error, please immediately notify us by telephone or fax. Thank you.

FORM PTO-1083

RECEIVED  
CENTRAL FAX CENTER

DEC 05 2006

PATENT

Attorney Docket No. 224387  
Client Reference No. P105403US  
Date: December 5, 2006

In re Application of: Homero Ramirez Toblas, et al.

Application No. 10/728,209

Filed: December 4, 2003

For: CONCRETE-BASED FLOORS AND WALL COVERINGS WITH AN ANTIMICROBIAL EFFECT

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a reply to office action in the subject application.

- ☐ Small entity status is claimed for this application under 37 CFR 1.27.
- ☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE			one-month		\$ 0.00		\$0.00	
subtract time extension fee previously paid					(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	3	MINUS	20	= 0	x 25 =	\$	x 50 =	\$0.00
INDEPENDENT	1	MINUS	3	= 0	x 100 =	\$	x 200 =	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$	+ 360 =	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$0.00

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT &amp; MAYER, LTD.

Leydig, Voit & Mayer, Ltd.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)By   
Jennifer M. Oak, Reg. No. 52,838

FORM PTO-1083

**PATENT**

Attorney Docket No. 224387  
 Client Reference No. P105403US  
 Date: December 5, 2006

In re Application of: Homero Ramirez Toblas, et al.

Application No. 10/728,209

Filed: December 4, 2003

For: CONCRETE-BASED FLOORS AND WALL COVERINGS WITH AN ANTIMICROBIAL EFFECT

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a reply to office action in the subject application.

- ☐ Small entity status is claimed for this application under 37 CFR 1.27.
- ☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE			one-month		\$ 0.00		\$0.00	
subtract time extension fee previously paid					(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	3	MINUS	20	= 0	x 25 =	\$	x 50 =	\$0.00
INDEPENDENT	1	MINUS	3	= 0	x 100 =	\$	x 200 =	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$	+ 360 =	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$0.00

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT &amp; MAYER, LTD.

Leydig, Voit & Mayer, Ltd.  
 Two Prudential Plaza, Suite 4900  
 180 North Stetson Avenue  
 Chicago, Illinois 60601-6780  
 (312) 616-5600 (telephone)  
 (312) 616-5700 (facsimile)

By   
 Jennifer M. Duk, Reg. No. 52,838

DEC 05 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/728,209

Applicant: Homero Ramirez Tobias, et al

Filed: December 4, 2003

TC/AU: 1755

Examiner: Anthony J. Green

**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE**

Docket No.: 224387 (Client Reference No. P105403US)

Customer No.: 23460

Title: CONCRETE-BASED FLOORS AND WALL  
COVERINGS WITH AN ANTIMICROBIAL EFFECTMail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

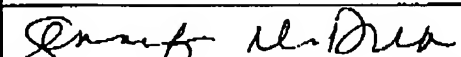
## AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action dated September 5, 2006, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Jennifer M. Duk		
Signature		Date	December 5, 2006